

1 IN THE CIRCUIT COURT OF MILWAUKEE COUNTY

2 STATE OF WISCONSIN

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4 SHEENAH ARENZ,

5 Plaintiffs,

6 and

7 STATE OF WISCONSIN DEPARTMENT
8 OF HEALTH SERVICES and UNITED
9 HEALTHCARE,

10 Involuntary Plaintiffs,

11 vs.

12 Case No. 19-CV-2536

13 INMATE SERVICES CORPORATION
14 and MARIUS NESBY,

15 Defendants.
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Deposition of SHEENAH ARENZ

Thursday, January 9, 2020

1:19 p.m.

LAW OFFICES OF ROBERT A. LEVINE
630 North Broadway
Milwaukee, Wisconsin

Reported by Christine A. Kovac, RPR

EXHIBIT

A

<p>1 Deposition of SHEENAH ARENZ, a witness 2 in the above-entitled action, was taken at the instance of 3 the Defendants, under and pursuant to the provisions of 4 Chapter 804 of the Wisconsin Statutes, and pursuant to 5 Notice, before me, CHRISTINE A. KOVAC, RPR, Registered 6 Professional Reporter, and Notary Public in and for the 7 State of Wisconsin, at LAW OFFICES OF ROBERT A. LEVINE, 8 630 North Broadway, Milwaukee, Wisconsin, on the 9th day 9 of January, 2020, commencing at 1:19 p.m. and concluding 10 at 3:23 p.m. 11 12 13 14 15 A P P E A R A N C E S 16 LAW OFFICES OF ROBERT A. LEVINE, by 17 Mr. Robert A. Levine 18 630 North Broadway 19 Milwaukee, Wisconsin 53202 20 Appeared on behalf of the Plaintiff. 21 CRIVELLO CARLSON, S.C., by 22 Mr. Steven McGaver 23 710 North Plankinton Avenue, Suite 500 24 Milwaukee, Wisconsin 53203 25 Appeared on behalf of the Defendants.</p>	<p>Page 2</p> <p>1 TRANSCRIPT OF PROCEEDINGS 2 SHEENAH ARENZ, called as a witness herein, 3 by the Defendants, after having been first 4 duly sworn, was examined and testified as follows: 5 E X A M I N A T I O N 6 Q Hi. Ms. Arenz, right? 7 A Arenz. 8 Q My name is Steve McGaver. We met briefly before the 9 deposition. I'm not going to go through the rules 10 again -- 11 A Okay. 12 Q -- because I believe your lawyer just went through 13 them a little bit off the record. If you don't 14 understand a question that I'm asking, I will ask that 15 you tell me; and I'll try to rephrase the question or 16 I'll ask it in a way that, hopefully, will make you 17 understand it. Are you with me? 18 A Yes, I am. 19 Q If you need to take a break -- I don't know how long 20 we'll be going; hopefully not long enough where you'll 21 need to take a break -- I just ask that, if there's a 22 question pending, we don't take a break until the 23 question is answered. Fair enough? 24 A Yes. 25 MR. LEVINE: Let's go off the record for a</p>
<p>1 I N D E X 2 EXAMINATION BY: PAGE: 3 Mr. McGaver 4 4 5 6 E X H I B I T S 7 NUMBER: EXHIBIT DESCRIPTION: PAGE: 8 Exhibit 1 Amended Summons and Amended Complaint 54 9 Exhibit 2 Copies of text message communications 62 10 Exhibit 3 Medical Record from January 15, 2019 86 11 (Original exhibit attached to original transcript; exhibit 12 copies provided to attorneys requesting copies.) 13 14 15 16 17 18 R E Q U E S T S 19 (No requests were made.) 20 21 22 23 24 25</p>	<p>Page 3</p> <p>1 second. 2 MR. MCGAVER: Yes. 3 (A brief discussion was held off the 4 record.) 5 MR. MCGAVER: Back on the record. 6 Q Could you please state your full name? 7 A Sheenah Lynn Arenz. 8 Q Have you ever gone by any other names? 9 A Yes. 10 Q What are those? 11 A Sheenah Lynn Schloesser. 12 Q Can you spell the last name? 13 A Schloesser, S-c-h-l-o-e-s-s-e-r. 14 Q Is that your maiden name? 15 A Yes, it is. 16 Q Arenz is your married name? 17 A Yes, it is. 18 Q Have you ever gone by any other names? 19 A No. 20 Q What's your current address? 21 A 209 South Warren Street in Watertown, Wisconsin, 22 53094. 23 Q Have you ever taken a deposition before? 24 A No. 25 Q Lucky me.</p> <p>Page 4</p> <p>Page 5</p>

Page 6	Page 8
<p>1 A Yes.</p> <p>2 Q What's the highest grade you completed in school?</p> <p>3 A Some college.</p> <p>4 Q How many years?</p> <p>5 A Two.</p> <p>6 Q Where did you go to college?</p> <p>7 A University of Phoenix, online.</p> <p>8 Q Online?</p> <p>9 A Yes.</p> <p>10 Q So you would have sophomore standing or junior standing, if you went back?</p> <p>11 A Sophomore.</p> <p>12 Q Did you graduate high school?</p> <p>13 A Yes, I did.</p> <p>14 Q Where from?</p> <p>15 A American School.</p> <p>16 Q Where is that?</p> <p>17 A Lancing, Illinois.</p> <p>18 Q What year?</p> <p>19 A 2002.</p> <p>20</p> <p>21 MR. LEVINE: Let me cut you off for a</p> <p>22 second.</p> <p>23 Slow down a little bit because she's got to</p> <p>24 get you down. Just take your time.</p> <p>25 Go ahead.</p>	<p>1 Q How old is he?</p> <p>2 A 16.</p> <p>3 Q Is there anything about today that would affect your ability to provide truthful and accurate testimony to the deposition today?</p> <p>4 A No.</p> <p>5 Q Any drugs that would affect your memory?</p> <p>6 A No.</p> <p>7 Q Any prescription medications? Anything like that?</p> <p>8 A No.</p> <p>9 Q Any memory issues that we should know about?</p> <p>10 A No.</p> <p>11 Q I didn't think so, but I had to ask.</p> <p>12 Other than meeting with your lawyer, which I</p> <p>13 don't want to know anything about, did you do anything to prepare for the deposition today?</p> <p>14 A No.</p> <p>15 Q You didn't review any documents?</p> <p>16 A No.</p> <p>17 Q You didn't speak with anyone?</p> <p>18 A No.</p> <p>19 Q Are you currently employed?</p> <p>20 A No.</p>
Page 7	Page 9
<p>1 BY MR. MCGAVER:</p> <p>2 Q 2002 you said?</p> <p>3 A Yes.</p> <p>4 Q What's your date of birth?</p> <p>5 A 5/28/83.</p> <p>6 Q Are you currently married?</p> <p>7 A Yes.</p> <p>8 Q And to who?</p> <p>9 A Kraig Arenz.</p> <p>10 Q I think I read somewhere that you were divorced.</p> <p>11 A Yes.</p> <p>12 Q Is that true?</p> <p>13 A Yes.</p> <p>14 Q And then you remarried Kraig Arenz; is that true?</p> <p>15 A Yes.</p> <p>16 Q When did you remarry Mr. Arenz?</p> <p>17 A August of 2019.</p> <p>18 Q When were you divorced?</p> <p>19 A March of 2015.</p> <p>20 Q Were you ever married to anyone else?</p> <p>21 A No.</p> <p>22 Q How many children?</p> <p>23 A One.</p> <p>24 Q Is he in the lobby right there?</p> <p>25 A Yes, he is.</p>	<p>1 Q When is the last time that you were employed?</p> <p>2 A December of 2019.</p> <p>3 Q And how were you employed in December of 2019?</p> <p>4 A Part-time.</p> <p>5 Q Where did you work?</p> <p>6 A Country Inn & Suites.</p> <p>7 Q Is that in Pewaukee?</p> <p>8 A Fort Atkinson.</p> <p>9 Q What did you do at the Country Inn & Suites in Fort Atkinson?</p> <p>10 A Housekeeping.</p> <p>11 Q How many hours a week?</p> <p>12 A It ranged from probably 10 to 20.</p> <p>13 Q Prior to that job, what was your previous employment?</p> <p>14 A Trilogy.</p> <p>15 Q What is Trilogy?</p> <p>16 A It's a golf course restaurant.</p> <p>17 Q Where?</p> <p>18 A Scottsdale, Arizona.</p> <p>19 Q What did you do at Trilogy?</p> <p>20 A Waitressed.</p> <p>21 Q Can you give me the dates of your employment roughly at Trilogy?</p> <p>22 A February 2019 -- 2018 -- I'm sorry -- to April 2018.</p> <p>23 Q So just a couple of months then, right?</p>

Page 10	Page 12
1 A Yes.	1 Q On six separate occasions or six separate crimes?
2 Q What about prior to serving as a waitress at Trilogy,	2 A Six separate occasions.
3 what did you do employment-wise?	3 Q Can you run through what those crimes were and roughly
4 A I worked at Fox City Sign.	4 when you were convicted of them?
5 Q Where is Fox City Sign?	5 MR. LEVINE: I'm going to object. I don't
6 A Menasha, Wisconsin.	6 think you're entitled to that information.
7 Q What did you do for Fox City Sign?	7 MR. McGAVER: It should be a matter of
8 A Office manager.	8 public record.
9 Q What are your dates of employment there?	9 MR. LEVINE: Well, it would be.
10 A May 2017 to December 2017.	10 Let's go off the record.
11 Q I bet you could have predicted it was coming. What	11 (A brief discussion was held off the
12 about prior to Fox City Sign?	12 record.)
13 A I owned my own business.	13 MR. McGAVER: Back on the record.
14 Q What kind of business?	14 Q Your attorney has instructed you not to answer the
15 A I owned a hotel.	15 question. Are you going to follow your lawyer's
16 Q Where was the hotel located?	16 advice?
17 A Door County.	17 A Yes.
18 Q How many rooms?	18 Q Okay. Well, let's talk a minute about Winnebago
19 A Twelve.	19 County Case 18-CF-179. You were charged with theft in
20 Q Did you own it by yourself or with your husband?	20 a business setting in between \$5,000 and \$10,000 in
21 Someone else?	21 March of 2018. Is that right?
22 A I had a land contract with an investor.	22 MR. LEVINE: That one you can answer because
23 Q Land contract with -- I missed who it was.	23 that has to do with why you were picked up in
24 A An investor.	24 Scottsdale, so go ahead.
25 Q An investor. And other than owning the hotel, did you	25 THE WITNESS: Yes.
Page 11	Page 13
1 also work there?	1 BY MR. McGAVER:
2 A Yes, I did.	2 Q And a warrant in Wisconsin was issued for your arrest,
3 Q What did you do?	3 again, in March of 2018. Is that right?
4 A Everything. I did the reservations, housekeeping,	4 A Yes.
5 maintenance; anything that needed to be done.	5 Q And you were ultimately arrested in -- I believe it
6 Q What was the name of the hotel?	6 was in Maricopa County, Arizona; is that right?
7 A The Harbor Light Inn.	7 A Yes.
8 Q Located where?	8 Q That's around the Scottsdale area?
9 A In Ellison Bay.	9 A Yes.
10 Q Is it still in existence today?	10 Q Did you know about the existence of the warrant and
11 A Yes, it is.	11 the fact that charges were brought against you, prior
12 Q Do you still own a portion of it?	12 to your arrest?
13 A No.	13 A No.
14 Q Is it still called The Harbor Light Inn?	14 Q So when you were arrested, it was a surprise to you?
15 A Yes.	15 A Yes.
16 Q Any military experience?	16 Q Who was the arresting agency, if you remember?
17 A No.	17 A Scottsdale Police Department.
18 Q Have you ever been a party to a civil lawsuit before?	18 Q The City of Scottsdale --
19 A No.	19 A Yes.
20 Q Never as a plaintiff or a defendant?	20 Q -- Police Department?
21 A No.	21 You just have to be careful. Wait till I finish
22 Q Have you ever been convicted of a crime?	22 before you answer.
23 A Yes.	23 A Sorry.
24 Q How many times?	24 Q And when you were arrested, where did the Scottsdale
25 A I believe six.	25 Police Department take you?

Page 14	Page 16
1 A Scottsdale Police Department.	1 Q So it would have been the third day you appeared
2 Q You went back to the local police department?	2 before a judge or a court commissioner or a
3 A Correct.	3 magistrate, in Arizona; is that right?
4 Q Were you -- how long did you stay at the local police	4 A Yes.
5 department?	5 Q Do you remember what judicial official you appeared
6 A A couple of hours.	6 before?
7 Q And then where were you taken?	7 A Just the court commissioner.
8 A To Maricopa County Jail.	8 Q Do you remember the name?
9 Q Who took you to the Maricopa County Jail? What	9 A No, I do not.
10 agency?	10 Q What did they tell you when the court commissioner --
11 A The Maricopa Sheriff's Department.	11 what did the court commissioner tell you when you made
12 Q Do you happen to remember who from the sheriff's	12 that court appearance?
13 department picked you up and took you to the Maricopa	13 A It was my extradition hearing. I could fight it or I
14 County Jail?	14 could agree to it, and they would have 28 days to come
15 A No.	15 and get me.
16 Q Man? Woman?	16 Q Did you have a lawyer represent you at that hearing?
17 A I do not recall.	17 A No.
18 Q And you were booked into the Maricopa County Jail at	18 Q Did the State of Arizona or Maricopa County make a
19 that time; is that right?	19 public defender available to you?
20 A Yes.	20 A No.
21 Q Were you fingerprinted and photographed?	21 Q Did you speak with private counsel prior to that
22 A Yes.	22 extradition hearing?
23 Q Was that done at the Scottsdale Police Department or	23 A No.
24 Maricopa County Jail?	24 Q Did the court commissioner tell you where you were
25 MR. LEVINE: Or both?	25 being extradited to?
Page 15	Page 17
1 THE WITNESS: Both.	1 A Yes.
2 BY MR. MCGAVER:	2 Q And they told you it was Wisconsin?
3 Q Both?	3 A Yes.
4 A Both.	4 Q What about the arresting officers, did they tell you
5 Q And when you were at the Maricopa County Jail, you	5 why they were arresting you?
6 were issued Maricopa County Jail clothing; is that	6 A Yes.
7 right?	7 Q And what did they tell you?
8 A Yes.	8 A That it was theft from my previous employer.
9 Q They took your personal effects that you had with you	9 Q Which employer was that?
10 and stored them away from you; is that fair?	10 A Fox City Sign.
11 A Yes.	11 Q Did they tell you how much that Fox City Sign said
12 Q Did you have a cell phone on you?	12 that you stole?
13 A In my property.	13 A \$10,000.
14 Q What about other electronics, like an iPad?	14 Q Did they give you any more details?
15 A No.	15 A No.
16 Q Laptop computer?	16 Q Meaning, the arresting law enforcement officers?
17 A No.	17 A No. They did not have the criminal complaint.
18 Q How long were you kept in custody at the Maricopa	18 Q What about the court, did the court or the prosecutor
19 County Jail before you were brought before either a	19 in the courtroom have any more details that they
20 judge, a magistrate or a court commissioner, in	20 shared with you about the warrant or the Wisconsin
21 Arizona?	21 case, at that time?
22 A I believe it was two days.	22 A No. It was just for extradition.
23 Q Two days meaning two overnights at the Maricopa County	23 Q Did you go through the extradition process or did you
24 Jail?	24 waive it?
25 A Yes.	25 A I waived -- if I'm answering it correctly, I waived

<p style="text-align: right;">Page 18</p> <p>1 it, so that way, the 28 days would start.</p> <p>2 Q So you waived extradition and started the clock, so to</p> <p>3 speak, on the 28-day period for the State of Wisconsin</p> <p>4 to come pick you up and take you to Wisconsin. Am I</p> <p>5 stating that correctly?</p> <p>6 A Yes.</p> <p>7 MR. LEVINE: Sort of. The State of</p> <p>8 Wisconsin doesn't pick anyone up.</p> <p>9 MR. MCGAVER: Well, that's true, but they</p> <p>10 order people, or ask people, to pick them up.</p> <p>11 MR. LEVINE: That's correct. Go ahead.</p> <p>12 BY MR. MCGAVER:</p> <p>13 Q Did anyone, either in the court proceedings or in your</p> <p>14 conversations with law enforcement officials, explain</p> <p>15 to you how you would ultimately be transported to</p> <p>16 Wisconsin, while you were still housed in the Maricopa</p> <p>17 County Jail?</p> <p>18 A No.</p> <p>19 Q Did anyone tell you anything about the arrangements</p> <p>20 that were being made about your transportation to the</p> <p>21 State of Wisconsin, while you were housed in the</p> <p>22 Maricopa County Jail?</p> <p>23 A No.</p> <p>24 Q After the extradition hearing, how much time did you</p> <p>25 -- how much additional time did you spend in the</p>	<p style="text-align: right;">Page 20</p> <p>1 A No. It's a different jail. We had to get in a</p> <p>2 vehicle to be taken to another jail.</p> <p>3 Q Oh, I see. And what kind of a vehicle were you</p> <p>4 transported in to get from one jail to another jail?</p> <p>5 In other words, what law enforcement agency's vehicle</p> <p>6 was it?</p> <p>7 A Sheriff's department. And it was a -- it resembled an</p> <p>8 ambulance.</p> <p>9 Q And it was a Maricopa County sheriff's vehicle?</p> <p>10 A Yes.</p> <p>11 Q And they took you to a different jail?</p> <p>12 A Yes.</p> <p>13 Q How long -- were you the only passenger?</p> <p>14 A Yes.</p> <p>15 Q How long was the ride?</p> <p>16 A 10 minutes.</p> <p>17 Q And when you arrived at the second jail, tell me what</p> <p>18 happened next.</p> <p>19 A They put me in a holding cell and waited for my</p> <p>20 transport to arrive.</p> <p>21 Q How long were you in the holding cell?</p> <p>22 A Three hours.</p> <p>23 Q Were you alone?</p> <p>24 A No.</p> <p>25 Q How many other people in the holding cell?</p>
<p style="text-align: right;">Page 19</p> <p>1 Maricopa County jail?</p> <p>2 A 27 days.</p> <p>3 Q So two days prior to your -- strike that.</p> <p>4 How many court appearances did you attend in the</p> <p>5 state of Arizona?</p> <p>6 A One.</p> <p>7 Q So two days prior to your court appearance -- or two</p> <p>8 nights I think we established prior to your court</p> <p>9 appearance. You had your court appearance, and then</p> <p>10 you spent an additional 27 days in the Maricopa County</p> <p>11 Jail in Arizona; is that right?</p> <p>12 A Yes.</p> <p>13 Q Can you walk me through how it is you came to leave</p> <p>14 the Maricopa County Jail?</p> <p>15 A They said my transport was there.</p> <p>16 Q Who's "they"?</p> <p>17 A The deputy in our dorm at the jail. And they took me</p> <p>18 down to a different jail to wait for my transport.</p> <p>19 Q Did the deputy in the dorm -- I'm sorry to interrupt</p> <p>20 you. Did the deputy in the dorm give you any more</p> <p>21 information about your transport at that time?</p> <p>22 A No. She just said, "Pack up. Your ride is here."</p> <p>23 Q And you were taken, you said, to a different jail?</p> <p>24 A Yes.</p> <p>25 Q Or a different section of the jail?</p>	<p style="text-align: right;">Page 21</p> <p>1 A Ten.</p> <p>2 Q Did you speak to any of those ten people in the</p> <p>3 holding cell?</p> <p>4 A No.</p> <p>5 Q Did any of them speak to you?</p> <p>6 A No.</p> <p>7 Q What time of day did this take place?</p> <p>8 MR. LEVINE: That she was in the holding</p> <p>9 cell or when she was picked up? What's your question?</p> <p>10 MR. MCGAVER: When she was in the holding</p> <p>11 cell.</p> <p>12 MR. LEVINE: Okay.</p> <p>13 MR. MCGAVER: You're right, because three</p> <p>14 hours had transpired, so fair point.</p> <p>15 THE WITNESS: 7:00 in the morning.</p> <p>16 BY MR. MCGAVER:</p> <p>17 Q And then, based on your testimony, if I'm</p> <p>18 understanding you correctly, at about 10:00 in the</p> <p>19 morning, your transport arrived; is that right?</p> <p>20 A Yes, it was roughly around then.</p> <p>21 Q What happened to your jail-issued clothing when your</p> <p>22 transport arrived?</p> <p>23 A They put me in my street clothes that I came in with.</p> <p>24 Q That's the deputy in the Maricopa County Sheriff's</p> <p>25 Department?</p>

Page 22		Page 24	
1	A Yes.	1	A At first, no. Throughout the first seven days, it
2	Q And what about your personal effects, what was done	2	started to grow in.
3	with your cell phone and your purse or keys or	3	Q I'm not going to ask to do it here today, but do you
4	whatever else you had?	4	think you could pick him up out of a lineup?
5	A They were given to the transport driver, Marius.	5	A Yes.
6	Q That's Marius Nesby?	6	Q Any other unique characteristics that you noticed
7	A Yes.	7	about Marius Nesby?
8	Q Was Mr. Nesby alone in the transport vehicle or did he	8	A Not that I recall.
9	have a partner?	9	Q Was he wearing a uniform of any type when he picked
10	MR. LEVINE: When?	10	you up?
11	BY MR. MCGAVER:	11	A Black pants and a darker gray shirt.
12	Q When you first encountered him.	12	Q Did he have a badge?
13	A He had a partner.	13	A He had something hanging around his neck that
14	Q Tell me how you first encountered Mr. Nesby. We left	14	resembled, like, a badge case.
15	off where you had just, essentially, changed your	15	Q Was it clear plastic? Could you see through it?
16	clothes. You were in your street clothes. Tell me	16	A No. It was black.
17	what happens next.	17	Q When you first encountered Mr. Nesby, did he identify
18	A They take me out of the holding cell, and then Marius	18	himself?
19	handcuffed me in the jail.	19	A He just said that he was the transporter.
20	Q Mr. Nesby walked into the jail, met you outside of	20	Q He didn't give you his name?
21	your holding cell and handcuffed you?	21	A No.
22	A He met me at the counter for booking and obtained a	22	Q Did he tell you what company he worked for?
23	plastic bag that had any personal belongings in it,	23	A No.
24	and my file folder.	24	Q Did he show you any identification?
25	Q Was he alone?	25	A No.
Page 23		Page 25	
1	A Yes, he was.	1	Q Did you see him show any identification to any staff
2	Q Where did he take you?	2	member of the Maricopa County Jail?
3	A He took me to the van.	3	A Just when he had to fill out his paperwork.
4	Q Can you describe the van for me?	4	Q Did you see him fill out his paperwork?
5	A It was a white van.	5	A Yes.
6	Q Full-size van?	6	Q Did you see anything that he wrote on his paperwork?
7	A Yes. Newer.	7	A No.
8	Q Any markings on it?	8	Q Was he wearing glasses?
9	A No.	9	A I do not recall.
10	Q Any caging on it?	10	Q Was he in possession of any, what I'll call, police
11	A No.	11	equipment? Do you know what I mean by that?
12	Q Do you understand what I mean by "caging"?	12	A No.
13	A Yes, I do.	13	Q Did he have handcuffs with him?
14	Q Like a paddy wagon.	14	A Yes.
15	A No. It was all open.	15	Q What about pepper spray?
16	Q Any windows in the back of the van?	16	A I do not recall.
17	A Yes. It resembled a Mercedes van.	17	Q Did he have a police baton or a billy club?
18	Q Can you describe Mr. Nesby's physical appearance for	18	A In the van, yes.
19	me?	19	Q But not when he brought -- nothing resembling a baton
20	A He was African American. He appeared to be older,	20	or a billy club that he brought with him to the jail,
21	maybe mid to late 50s, heavier set, and about	21	right?
22	five-seven, five-eight.	22	A No.
23	Q Any tattoos or scars that you noticed?	23	Q Did he have a gun on him?
24	A I do not recall.	24	A Yes, in the van.
25	Q What about facial hair?	25	Q Do you remember what kind of a gun it was?

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<p>1 A It was -- I'm not familiar with guns, but it was just</p> <p>2 a small black one.</p> <p>3 Q Was it a handgun?</p> <p>4 A Yes.</p> <p>5 Q Was it a revolver?</p> <p>6 MR. LEVINE: She's testified she's not</p> <p>7 familiar with guns.</p> <p>8 I don't know. Can you answer that?</p> <p>9 THE WITNESS: It was just --</p> <p>10 MR. MCGAVER: Let me ask it a different way.</p> <p>11 Q Can you describe the gun for me?</p> <p>12 A Yes. It was black and it was flat. And then it just</p> <p>13 had -- like he pulled -- you would pull the top back</p> <p>14 and then release the trigger.</p> <p>15 Q Okay. Where did he store the gun in the van?</p> <p>16 A In the driver's side or passenger's side door,</p> <p>17 depending upon which side he was sitting on.</p> <p>18 Q Did any other employees from the transport company</p> <p>19 ever come into the jail to get you besides Mr. Nesby?</p> <p>20 A No.</p> <p>21 Q Mr. Nesby handcuffed you in the jail?</p> <p>22 A Yes.</p> <p>23 Q And he walked you out to the van?</p> <p>24 A Yes.</p> <p>25 Q What did he instruct you to do?</p>	<p>1 Q How many other people?</p> <p>2 A Three other male inmates.</p> <p>3 Q Where were they seated?</p> <p>4 A Two were in the bucket seat behind me and one was on</p> <p>5 the bench seat behind the bucket seats.</p> <p>6 Q Did you ever come to learn the names of those</p> <p>7 individuals?</p> <p>8 A Yes.</p> <p>9 Q Do you remember them now?</p> <p>10 A No, I do not recall their names.</p> <p>11 Q Do you know whether those individuals were picked up</p> <p>12 from Maricopa County Jail?</p> <p>13 A No, they were not.</p> <p>14 Q They were picked up from -- do you know where they</p> <p>15 were picked up from?</p> <p>16 A Some had said that they came from Texas, and one came</p> <p>17 from Mississippi. And I do not recall where the other</p> <p>18 one came from.</p> <p>19 Q When you were seated in the van, were you still</p> <p>20 handcuffed?</p> <p>21 A Yes.</p> <p>22 Q Were the other three male inmates handcuffed, as well?</p> <p>23 A Yes.</p> <p>24 Q Were you chained to the floor of the van?</p> <p>25 A No. We had shackles around our ankles and then just</p>
Page 27	Page 29
<p>1 A Nothing. He just opened the door, and I got in.</p> <p>2 Q Do you remember where you sat in the van when you were</p> <p>3 first picked up?</p> <p>4 A Yes, right behind the driver.</p> <p>5 Q There was a driver who is separate from Mr. Nesby?</p> <p>6 A No. That would have been -- he was driving.</p> <p>7 Q Was there any other employee of the transport company</p> <p>8 in the van?</p> <p>9 A Yes.</p> <p>10 Q And can you describe that person?</p> <p>11 A It was a female, African American. She was about</p> <p>12 five-eight, five-nine. She wore black pants, gray</p> <p>13 shirt. She had the same black badge hanging around</p> <p>14 her neck, and she always wore a baseball cap.</p> <p>15 Q Did you ever come to know her name?</p> <p>16 A Yes, but I do not recall it at this point.</p> <p>17 Q Did she carry handcuffs with her?</p> <p>18 A Not on her.</p> <p>19 Q And she was wearing a similar type of uniform that</p> <p>20 Mr. Nesby was wearing?</p> <p>21 A Yes.</p> <p>22 Q Were there any other persons in the van besides this</p> <p>23 woman, Mr. Nesby, and you, when you first got picked</p> <p>24 up?</p> <p>25 A Yes.</p>	<p>1 separate cuffs in front of us for our wrists.</p> <p>2 Q Do you know what a stun belt is?</p> <p>3 A No.</p> <p>4 Q It's fair to say you weren't fitted with a stun belt</p> <p>5 while you were in the van, right?</p> <p>6 A Correct.</p> <p>7 Q Were you given any food or water when you initially</p> <p>8 made your way into the van?</p> <p>9 A No.</p> <p>10 Q Did you have access to a phone in the van?</p> <p>11 A No.</p> <p>12 Q Other than the one gun that we talked about</p> <p>13 previously, did you see any other guns in the van?</p> <p>14 A No. He told us that was the only one he had.</p> <p>15 Q Did you ride in the same vehicle for the entirety of</p> <p>16 the trip to Wisconsin?</p> <p>17 A No.</p> <p>18 Q Do you know what day you left Maricopa County?</p> <p>19 A I do not know the date.</p> <p>20 Q Do you know what day of the week it was?</p> <p>21 A No, I do not.</p> <p>22 Q Do you know what time it was?</p> <p>23 A Morning.</p> <p>24 MR. LEVINE: She's indicated -- she said</p> <p>25 10:00, about.</p>

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<p>1 BY MR. MCGAVER:</p> <p>2 Q 10:00 in the morning is when you left?</p> <p>3 MR. LEVINE: She was picked up.</p> <p>4 BY MR. MCGAVER:</p> <p>5 Q Did Mr. Nesby, his female partner, or anyone from the</p> <p>6 Maricopa County Jail tell you anything about the route</p> <p>7 that they were planning on taking to get you to</p> <p>8 Winnebago County, Wisconsin?</p> <p>9 A No.</p> <p>10 Q Anyone tell you how long they thought the trip would</p> <p>11 take?</p> <p>12 A No. It was explained that when they get an offer for</p> <p>13 somebody that is close to our route, and if we have</p> <p>14 room, we could pick them up, or drop off the ones we</p> <p>15 had.</p> <p>16 Q Do you know where the other three prisoners were</p> <p>17 supposed to be taken?</p> <p>18 A We dropped one off in Los Angeles and one off in -- I</p> <p>19 believe it was Wyoming. And I do not recall where the</p> <p>20 third one was dropped off at.</p> <p>21 Q All prior to you being dropped off in Wisconsin, I</p> <p>22 presume. Right?</p> <p>23 A Yes.</p> <p>24 Q All right. That would make sense.</p> <p>25 How long were you on the road before your first</p>	<p>1 A It varied on the place that we went to.</p> <p>2 Q Do you remember what it was at this first place?</p> <p>3 A No, I don't recall.</p> <p>4 Q Did you ever exit the van while you were stopped at</p> <p>5 that restaurant?</p> <p>6 A Yes.</p> <p>7 Q And was it to use the bathroom?</p> <p>8 A And to stretch.</p> <p>9 Q How long were you allowed outside of the van?</p> <p>10 A Until everyone was ready to go. We didn't have a time</p> <p>11 frame.</p> <p>12 Q More or less than a half hour?</p> <p>13 A Approximately a half hour.</p> <p>14 Q Okay. Did you eat while you were stopped or in the</p> <p>15 van on the road?</p> <p>16 A Sometimes both.</p> <p>17 Q Okay. What about this first stop?</p> <p>18 A It was outside of the van.</p> <p>19 Q But you still stopped in the parking lot of the</p> <p>20 restaurant, I presume?</p> <p>21 A Yes.</p> <p>22 Q You departed -- we're at⁴ about 5:30, if I'm following</p> <p>23 your timeline correctly; is that right?</p> <p>24 A Yes.</p> <p>25 Q How much longer did you drive until your next stop?</p>
Page 31	Page 33
<p>1 stop to either to use the restroom, to get gas -- any</p> <p>2 kind of a stop?</p> <p>3 A We stopped for dinner around 5:00 p.m.</p> <p>4 Q So from 10:00 in the morning, when you left, until</p> <p>5 5:00 approximately, you were on the road the entire</p> <p>6 day without stopping?</p> <p>7 A Yes.</p> <p>8 Q Not for gas? Not for anything?</p> <p>9 A Correct. He was behind schedule with picking up</p> <p>10 another person.</p> <p>11 Q Do you remember where geographically you stopped for</p> <p>12 dinner?</p> <p>13 A I do not recall. Southern Cal -- Southern California.</p> <p>14 All I remember is it was past Barstow, California.</p> <p>15 Q Do you remember what restaurant you stopped at?</p> <p>16 A I do not recall.</p> <p>17 Q And you ate dinner at this restaurant?</p> <p>18 A He would go in and order everybody's food -- it was</p> <p>19 always the same -- and then bring it out.</p> <p>20 Q "He", meaning Marius Nesby would do this?</p> <p>21 A Yes.</p> <p>22 Q Did you get to order your own food or was it the same</p> <p>23 order for everyone?</p> <p>24 A No. It was the same order for everyone.</p> <p>25 Q What was that order?</p>	<p>1 A I don't recall.</p> <p>2 Q Do you know where your next stop would have been</p> <p>3 geographically?</p> <p>4 A Around the Los Angeles area.</p> <p>5 Q Do you know where?</p> <p>6 A We made a stop at the Twin Towers in Los Angeles.</p> <p>7 Q What was the reason for that stop at the Twin Towers?</p> <p>8 A We had to drop somebody off there.</p> <p>9 Q And this is the same date that you were picked up; is</p> <p>10 that right?</p> <p>11 A Yes.</p> <p>12 Q Okay. How long was that stop at the Twin Towers?</p> <p>13 A Roughly, half hour.</p> <p>14 Q Okay. Were you allowed out of the van there?</p> <p>15 A Yes. We all got out and went inside.</p> <p>16 Q How many days was the trip in total from Maricopa</p> <p>17 County, Arizona to Wisconsin, for you?</p> <p>18 A I believe it was roughly two weeks.</p> <p>19 Q Did you stop for the night on the night of the first</p> <p>20 -- or the day -- strike that.</p> <p>21 Did you stop on the night of the day you were</p> <p>22 picked up?</p> <p>23 A They kept driving.</p> <p>24 Q All through the night?</p> <p>25 A We stopped on the eighth day.</p>

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<p>1 Q And I presume that Marius Nesby and his partner 2 switched driving responsibilities; is that right? 3 A Yes. 4 Q And they kept driving until the eighth day? 5 A Yes. 6 Q Do you remember where you stopped on the eighth day? 7 A Utah. 8 Q Was that at a hotel or someplace else? 9 A We went to a jail in Salt Lake City for the night. 10 Q From day one, when you were in the van, until the 11 eighth day, approximately how many times were 12 prisoners dropped off? 13 A I don't recall. 14 Q How many times were they picked up? Do you remember 15 that? 16 A I believe three. 17 Q Were there any of the initial three prisoners still 18 with you on the night that you stopped in Utah? 19 A Yes, one. 20 Q And do you remember where that gentleman's final 21 destination was supposed to be? 22 A I do not recall. 23 Q You stopped in jail in Salt Lake City. You were taken 24 into the jail, and stayed the night in a holding cell; 25 is that right?</p>	<p>1 BY MR. MCGAVER: 2 Q In the first eight days, prior to the Utah stop, were 3 you ever alone with Marius Nesby? 4 A Prior to the eighth day? 5 Q Within the first eight days. 6 MR. LEVINE: Read that question back. 7 MR. MCGAVER: Let me -- strike it. I'll 8 rephrase it. 9 Q From the point in time that you were picked up from 10 Maricopa County Jail, until the point in time where 11 you spent the night in the Salt Lake City Area Jail in 12 Utah, were you ever alone with Marius Nesby? 13 A Yes. 14 Q How many times? 15 A I recall four times. 16 Q A few enough number where we should probably take them 17 one by one. Can you describe the first time that you 18 were alone with Marius Nesby within the time period 19 that we just spelled out? 20 A I don't recall the locations, but every time that I 21 was alone was at a gas station or a rest area. 22 Q And you would be alone in the van with Mr. Nesby? 23 A No. Once -- I was alone in the van with him twice, 24 but it was after the eight days. And then, prior to 25 it, it was, he would take me and a guy to go use the</p>
Page 35	Page 37
<p>1 A No. They put us in general population. 2 Q What time of the day did you arrive at this jail? 3 A It was evening. 4 Q Did they issue you jail clothing when you arrived? 5 A Yes. 6 Q Do you know whether your personal effects remained in 7 the van, or were they brought in with you to the jail? 8 A They stayed in the van. 9 Q Do you remember the names of any of the prisoners that 10 rode with you during the entirety of your two-week 11 trip? 12 A Yes, a couple of them. 13 Q What are the names that you remember? 14 A Geri Ann. 15 Q Anyone else? 16 A The other two were only their nicknames. It was Tayee 17 (ph) and Chicago. 18 Q Any other female prisoners? 19 A Just Geri Ann. 20 Q Geri Ann? And can you spell that? 21 A I have -- I don't know how to do that. 22 MR. LEVINE: Probably just Geri Ann. 23 MR. MCGAVER: It was a stretch. 24 MR. LEVINE: You didn't get her autograph? 25 THE WITNESS: I do have her information.</p>	<p>1 restroom at a time, and then when the guy went in, he 2 would make me wait with him. 3 Q I see. Ever alone with Mr. Nesby's partner within the 4 first eight-day period? 5 A No. 6 Q Your allegations in the case are in regards to a 7 sexual assault that was perpetrated by Mr. Nesby, and 8 I'll tell you, I take no pleasure in asking these 9 questions, but I do need the information about the 10 assaults. So I'm going to ask that you bear with me 11 during the questions. 12 You're alleging that at the time of the assault 13 -- well, let me ask it a different way. 14 Are you alleging that at the time of the 15 assault, or the assaults perpetrated by Mr. Nesby, 16 that other Inmate Services employees participated in 17 the assaults? 18 A No. 19 Q Are you alleging that other Inmate Services employees 20 knew about the assaults as they were happening? 21 A Yes, one. 22 Q Who do you say knew about the assault at the time it 23 was happening? 24 A The second transport driver when we switched vehicles. 25 Q How far into the trip did you switch vehicles? How</p>

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1	many days?	1	happened?
2	A I do not recall.	2	A Next day I would say.
3	Q Was it before or after Utah?	3	Q Okay.
4	A After.	4	A So we -- he had walked me up to -- into the gas station.
5	Q Let's go back to the trip. After Utah, how long were you driving in the transport van until you switched vehicles?	5	Q Alone?
6	A I do not recall how many days it was.	6	A Yes. And it wasn't a single bathroom, so he had me stand outside the door before going in, and he starts rubbing his hand down my hair, down my back, and then it would have been my right butt cheek, at that time.
7	Q After the initial overnight stop in Salt Lake City, how many days until you had another overnight stop?	7	Q Over your clothing?
8	A We did not have another overnight.	8	A Yes. Saying that -- he'd say, "The things that I would like to do to you." He said that he really likes me.
9	Q How many days into the trip was the first time that Mr. Nesby assaulted you?	9	And then I said, "I have to go to the bathroom. Can I go?"
10	A Four days.	10	Q What did he say in response to that?
11	Q Prior to Utah?	11	A He said, "Yes. We'll finish this conversation later."
12	A Yes.	12	Q Was anything else said prior to you using the restroom?
13	Q What did he do?	13	A No. Well, yes. Because he took my handcuffs off and said, "I'm not supposed to do this but I will for you."
14	A It was in the van, and he had reached behind the driver's seat and started rubbing up my leg.	14	Q Did anyone witness that conversation, that you know of?
15	Q Right leg or left leg?	15	
16	A Left leg.	16	
17	Q With his right hand or his left hand?	17	
18	A It was his right hand.	18	
19	Q Was he saying anything at this time?	19	
20	A He was commenting on my hair.	20	
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1	Q What did he say about your hair?	1	A No.
2	A I had just taken it out of braids, and he said that it was very beautiful and he really liked women with my color hair and curly like that.	2	Q When you returned from the bathroom, did Mr. Nesby say anything more about your hair or your appearance?
3	Q Did you say anything in response?	3	MR. LEVINE: On that day?
4	A No.	4	BY MR. MCGAVER:
5	Q When he was rubbing your leg, did you say anything to him?	5	Q At that time. On that day.
6	A No. I just moved.	6	A Yes. He put my cuffs back on when I came out. He said, "I really do like you. Do you feel the same?"
7	Q Moved away from him, I presume?	7	Q What did you say?
8	A Yes.	8	A I just turned and walked towards the vehicle.
9	Q Did he say anything to you when you moved away?	9	Q Do you remember how many prisoners were being transported at that time?
10	A No. He pulled his hand back.	10	A Four, five, six -- with me, seven.
11	Q Is that how the encounter -- the assault ended?	11	Q Is this a 15-passenger van? Do you remember?
12	A Yes.	12	A No. It had -- well -- so there was the two -- the driver and the passenger seat, and then there was a bench seat where I sat, that could hold three. And then there was two bucket seats. And then there was just the bench seat behind them that could hold three.
13	Q Let's talk about the -- is there anything more that I'm missing in terms of the details of that assault that you believe are important or relevant?	13	Q Do you remember the manufacturer of the first vehicle you rode in? You said it looked like a Mercedes?
14	A No.	14	A Right. It could have been a Nissan, but it was very similar to what they look like.
15	Q Let's talk about the next time that Mr. Nesby assaulted you. Can you describe what happened?	15	Q Tall, in other words?
16	A We were at a gas station that had a restaurant connected to it.	16	A Yes.
17	Q I'll stop you just for a second. How far into the trip are you during -- when the second assault	17	

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1	Q Did you ever sit anywhere other than immediately	1	of the bathroom?
2	behind the driver?	2	A No, because I was getting uncomfortable at that point.
3	A No.	3	So Geri Ann -- I explained to her what has been going
4	Q That was always your spot during the two-week trip?	4	on, and I asked her not to leave my side.
5	A Yes. The women had to sit in that row.	5	Q How far into the trip did this third encounter with
6	Q And who explained that the woman had to sit in that	6	Mr. Nesby take place? How many days?
7	row, to you?	7	A Around that time frame, I started losing track of the
8	A Marius.	8	days that we were in, but it couldn't have been more
9	Q How many days into the trip did he explain that to	9	than a couple of days.
10	you?	10	Q Was it before or after Utah?
11	A The first day.	11	A That one was before. That was the last one before.
12	Q The next time that Mr. Nesby assaulted you, can you	12	Q So all three of the incidents that we talked about
13	tell me what happened?	13	were prior to the stop?
14	A It was at a rest area at night, and everyone was	14	A Yes.
15	getting out of the vehicle to go into the restroom --	15	Q This conversation that you had with Geri Ann, how long
16	he'd always have me get off last -- and then he	16	after the third encounter with Mr. Nesby did you speak
17	grabbed my arm when I was getting ready to walk,	17	with Geri Ann about what was going on?
18	and --	18	A In the restroom.
19	Q Let me ask you a couple of questions to clarify. Do	19	Q Same day?
20	you know why Mr. Nesby had you get off last?	20	A Yes.
21	A No.	21	Q Immediately following the interaction with Mr. Nesby?
22	Q Did he ever tell you?	22	A Yes, because I asked her to wait for me.
23	A No.	23	Q Is that the first time you told anyone about
24	Q This was at a rest area as opposed to a gas station?	24	Mr. Nesby's actions?
25	A Yes.	25	A Yes, it is.
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1	Q No restaurants or -- or they didn't sell foods there,	1	Q Prior to Mr. Nesby's engaging in touching of you, did
2	other than maybe vending machines; is that right?	2	he say anything to you that you would be -- that you
3	A Correct.	3	would consider inappropriate or unprofessional?
4	Q Okay. You said that he grabbed your arm as you were	4	A No.
5	exiting the van?	5	Q So is it fair to say that when the first inappropriate
6	A Yes.	6	encounter with Mr. Nesby occurred, that it came as a
7	Q What happened next?	7	surprise to you?
8	A So he said to me that -- well, I had my hair put up at	8	A Yes.
9	that time. He said he really liked my hair down, and	9	Q Mr. Nesby didn't say anything to you prior to the
10	he rubbed my -- I was looking at him, so it would have	10	first encounter that would lead you to believe that he
11	been my right arm. And he said, "Did you notice that	11	was sexually attracted to you; is that right?
12	I kept your cuffs loose so you can take them off in	12	A That is correct.
13	the van if you want to?"	13	Q You didn't say anything to him prior to the first
14	And I said, "Yes, I did. Thank you."	14	encounter to make him believe that you were sexually
15	And then he said, "If we stop somewhere and you	15	attracted to him, correct?
16	don't like what we're ordering, just whisper to me	16	A No.
17	what you'd like, and I'll order that for you."	17	Q Okay. In terms of the fourth physical encounter with
18	So I said, "Okay." And then I went into the	18	Mr. Nesby, can you tell me what happened?
19	bathroom.	19	A We were standing outside the van at a gas station.
20	Q So the only touching that occurred on this third	20	All the inmates were -- no, I'm sorry. There was one
21	occasion was the rubbing of your right arm?	21	inmate in the van. The rest of them were sitting on
22	A Yes.	22	the curb outside, either smoking or just talking to
23	Q And he was whispering these things to you?	23	each other.
24	A Yes.	24	Q Do you smoke?
25	Q Okay. Did the conversation continue when you came out	25	A No.

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1 Q Did you at the time of this transport?

2 A No.

3 Q I'm sorry. I interrupted you.

4 MR. LEVINE: Yes, you did.

5 Go ahead.

6 THE WITNESS: And he was standing at the

7 passenger's side door. The doors were open on the

8 van. So the way that the door was, as you were

9 standing there, you couldn't see him directly because

10 the other door was blocking him.

11 BY MR. MCGAVER:

12 Q Which door are we talking about?

13 A The passenger back side door.

14 Q Thank you.

15 A And then he called me over. I was sitting on the curb

16 next to Geri Ann, and he had called me over and had my

17 property.

18 Q What did he say -- specifically say to you to call you

19 over?

20 A He said, "Sheenah, can you come here?"

21 Q And you came over to him?

22 A Yes.

23 Q What happened next?

24 A He had my property, and I asked him what he was doing.

25 He pulled my phone out and turned my phone on and

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1 said, "I want to send you my phone number because I

2 really would like to connect with you when you get to

3 Wisconsin."

4 Q What did you say in response to this?

5 A I was scared, so I said, "Okay."

6 Q And tell me how he sent you his phone number.

7 A He had my phone number from my property, so he already

8 had my phone number in his phone. He sent it. He

9 said he wanted to make sure the text went through, and

10 then he powered my phone off.

11 Q Did you say anything to him while he was doing this?

12 A No. After he put my phone away, he -- I was standing

13 to his left side, and then he put his arm around my

14 waist and started rubbing my left butt, and then, kind

15 of, took his hand and rubbed it down underneath my

16 butt to my inner thigh on my left side. And then he

17 kept saying, "I'm serious. I'm really interested in

18 you."

19 Q This is over the clothes?

20 A Yes.

21 Q Can you describe what you were wearing?

22 A I do not recall what I had on.

23 Q Do you know what kind of -- would it have been pants?

24 A It was leggings.

25 Q Did you say anything to Mr. Nesby when he was -- when

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1 he was touching you?

2 A I told him, "I feel uncomfortable."

3 Q What did he say in response?

4 A He just smiled at me.

5 Q Did he stop?

6 A I walked away. I went and sat down by Geri Ann.

7 Q Okay.

8 A And then, at that point is when I told Chicago what

9 was happening, and he started watching from there on

10 out. I believe Geri Ann had said she had seen it

11 happen.

12 Q Were you handcuffed during this encounter?

13 A Yes.

14 Q You wouldn't consider the encounter, or any of the

15 encounters we talked about so far, consensual; would

16 you?

17 A No.

18 Q I forget the total number of encounters that you said

19 there were with Mr. Nesby. How many were there total?

20 MR. LEVINE: Are you including the ones

21 she's already told you about?

22 MR. MCGAVER: I am.

23 MR. LEVINE: Total. Okay.

24 THE WITNESS: I believe there was -- there

25 was one more after that.

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1 BY MR. MCGAVER:

2 Q Sticking with the fourth encounter, we'll call it. Do

3 you remember how many days into the trip this

4 encounter occurred?

5 A I don't recall.

6 Q Okay. You said there was one more encounter. What

7 happened?

8 A That was the last day that we were with him, and that

9 had happened at the office.

10 Q At the Inmate Services office?

11 A Yes.

12 Q In Arkansas?

13 A Yes.

14 Q Tell me what happened.

15 A It was only me and, I believe, another guy during that

16 trip there, and we had to get into another vehicle

17 with different drivers, which was a husband and wife.

18 And so they took out Chicago and put him in the other

19 van, and then they took my cuffs off me.

20 Q Who -- you're saying "they." Who is "they"?

21 A It was Marius, and then the other transport guy was

22 there next to him.

23 Q Do you remember that individual's name?

24 A I do not off the top of my head.

25 Q Okay.

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<p>1 A And Marius told the other guy that he was going to</p> <p>2 take me into the office for a minute and he'd be right</p> <p>3 back out. So the other guy said, "Okay." And he</p> <p>4 stayed in the van, and Marius took me in the office.</p> <p>5 Q Did Marius explain to the other individuals, or to</p> <p>6 you, why he was taking you into the office?</p> <p>7 A No.</p> <p>8 Q So he takes you into the office, and what happens</p> <p>9 next?</p> <p>10 A He starts fon -- like playing around with a set of --</p> <p>11 like, a basket of handcuffs because he had to switch</p> <p>12 the cuffs out from his transport to the new transport.</p> <p>13 They had to get a new set he said.</p> <p>14 Q Do you know why?</p> <p>15 A No. That's just what he had said.</p> <p>16 And then he said, "If you need to use the</p> <p>17 restroom, it's right there."</p> <p>18 I said, "Okay, I'm going to go to the bathroom</p> <p>19 really quick."</p> <p>20 So then I went to go to the bathroom, but before</p> <p>21 I was able to get in the bathroom, he was behind me.</p> <p>22 And there was a walker on the counter -- or, like, the</p> <p>23 wall. There was a counter and then a bubbler and then</p> <p>24 the restroom. And he pinned me up against the back of</p> <p>25 the counter and said, "I was serious about liking you,</p>	<p>1 A No.</p> <p>2 Q You said he pinned you against the counter with the</p> <p>3 front of his body pressed against the back of your</p> <p>4 body?</p> <p>5 A The front of his body pressed against the front of</p> <p>6 mine.</p> <p>7 Q What part of his body was physically making contact</p> <p>8 with your body such that you were pinned on the</p> <p>9 counter, at that time?</p> <p>10 A His stomach.</p> <p>11 Q How long were you pinned against the counter before he</p> <p>12 started kissing your neck?</p> <p>13 A A couple of seconds.</p> <p>14 Q And he took his hand and he placed it under your</p> <p>15 shirt?</p> <p>16 A Yes.</p> <p>17 Q And grabbed your breast?</p> <p>18 A Yes.</p> <p>19 Q Over or under your bra?</p> <p>20 A Under.</p> <p>21 Q And then he grabbed your butt?</p> <p>22 A Yes.</p> <p>23 Q Over or under your pants?</p> <p>24 A Under.</p> <p>25 Q Or under your leggings, I'm sorry. You were wearing</p>
Page 51	Page 53
<p>1 and I want this to be more on the outside."</p> <p>2 And then he starts kissing on my neck. And he</p> <p>3 had his weight against me, so I couldn't move, at that</p> <p>4 point. And then, he takes his hand and starts going</p> <p>5 under my shirt and touching my breasts, and then</p> <p>6 slides down to my butt, and then he kisses me on the</p> <p>7 mouth, and then he said that the timing for this was</p> <p>8 bad because he really wanted me to go to his house.</p> <p>9 And I had --</p> <p>10 I said, "I need to go to the bathroom."</p> <p>11 So then, I pushed him back off me, and I went</p> <p>12 into the bathroom, and I sat in there for about five</p> <p>13 minutes. Then I heard the door open. Like, there was</p> <p>14 a bell on the office door, and somebody came in, so</p> <p>15 then I quickly went out. And it was the other guy.</p> <p>16 And he said to me -- Marius had told him what he had</p> <p>17 done and that he had kissed me, and he said, "You</p> <p>18 better never tell a soul about this."</p> <p>19 Q When you went into the office with Mr. Nesby, how long</p> <p>20 was it you were in the office until he pinned you</p> <p>21 against the counter?</p> <p>22 A Maybe 10 minutes.</p> <p>23 Q What were you doing during that 10-minute time?</p> <p>24 A Sitting on the couch.</p> <p>25 Q Was there a television on or something like that?</p>	<p>1 leggings?</p> <p>2 A Yeah.</p> <p>3 Q And then he kissed you on your mouth?</p> <p>4 A Yes.</p> <p>5 Q And you testified you pushed away?</p> <p>6 A Yes.</p> <p>7 Q Okay. And went to use the restroom?</p> <p>8 A Yes.</p> <p>9 Q Okay. Did you believe that Mr. Nesby told this other</p> <p>10 Inmate Services employee what happened while you were</p> <p>11 in the restroom?</p> <p>12 A Yes. And he sent it via text. Because Chicago told</p> <p>13 me, when I got out to the van, that he saw the text</p> <p>14 message stating what he did.</p> <p>15 Q What did Chicago tell you about the text message?</p> <p>16 A Chicago told me that he said, "You need to come in and</p> <p>17 let," -- Chicago's words were, "You need to let this</p> <p>18 bitch know that she will die if she tells anyone what</p> <p>19 happened in here."</p> <p>20 Q And he's relating the content of the text messages; is</p> <p>21 that right?</p> <p>22 A Yes.</p> <p>23 Q Do you know who the text message was from and who it</p> <p>24 was directed to?</p> <p>25 A According to Chicago, because I didn't see the</p>

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1 message --

2 Q Okay.

3 A According to Chicago, it was from Marius -- it was

4 communication between Marius and the second male

5 driver.

6 Q How far into the trip did the female driver -- was she

7 released from your transport?

8 A It was the both of them until we got to the office,

9 and then we switched over to the other two new

10 drivers.

11 Q So the second male driver we're talking about is the

12 male in the husband and wife team; is that right?

13 A Yes.

14 Q And you don't know his name?

15 A I have it wrote [sic] down at home, but off the top of

16 my head, no.

17 Q What race is he?

18 A African American.

19 Q Here, I'm going to go through some exhibits, and I'll

20 have the court reporter mark them.

21 (Exhibit Number 1 was marked for

22 identification.)

23 BY MR. MCGAVER:

24 Q I'm handing you what's marked as Exhibit 1, and that's

25 an amended summons, and on Page 3 is an amended

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1 complaint. I'll represent that it was filed by your

2 lawyer in Milwaukee County Circuit Court. I'm going

3 to have you turn to where it says Page 3 on the

4 bottom. You're at the right page. Actually, you were

5 at the right page. Now you are.

6 Do you see where it says, "FIRST CLAIM - ASSAULT

7 AND BATTERY"?

8 A Yes.

9 Q If you go to Paragraph 10, it says that -- and

10 paraphrasing a little -- well, I won't paraphrase;

11 I'll read it. "Upon information and belief, the

12 defendant Nesby, individually and as an agent, servant

13 and/or employee of the defendant Company told the

14 plaintiff Arenz that he had 188 days to return her to

15 the State of Wisconsin and that she was not even on

16 his schedule." (As read).

17 Do you remember Mr. Nesby making that comment to

18 you?

19 A Yes, I do.

20 MR. LEVINE: Let me just clarify. I thought

21 you said 188. It's 180 days. Go ahead.

22 BY MR. MCGAVER:

23 Q The answer was yes?

24 A Yes.

25 Q Do you remember how long into the trip Mr. Nesby made

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1 that representation to you?

2 A Shortly after I had gotten in the vehicle.

3 Q The first day?

4 A Yes.

5 Q Paragraph 11, "Upon information and belief, the

6 defendant Nesby, individually and as the agent,

7 servant and/or employee of the defendant Company

8 advised the plaintiff Arenz that he was going to," --

9 next page, "-- take her to his home in Memphis,

10 Tennessee, take a shower with her, sleep with her, and

11 take intimate acts." (As read.)

12 That representation of what Mr. Nesby said he

13 was going to do with you, we haven't talked about yet.

14 A Correct.

15 Q When did that -- when did Mr. Nesby make these

16 comments?

17 A He told me that he would do this a couple times

18 throughout the trip. Like, if we were just getting

19 out to go to the bathroom, out of the -- if I was

20 getting out of the van to go into the rest area, once

21 everybody had gone in -- like I said, I was always the

22 last to get off -- is when he said -- we -- the day

23 that I got trans -- like, that we switched transport,

24 we were supposed to go sit at a different jail

25 overnight, but he said that he would drop off Chicago

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1 at the men's jail. He would tell, whoever it was,

2 that I was going to be going to the women's jail, but

3 he wouldn't take me there. He would instead just take

4 me to his house.

5 Q And he told you that he was going to do this on more

6 than one occasion?

7 A Yes, he did.

8 Q So other than the five instances of physical touching

9 that we've talked about, there were more than one

10 instance of Mr. Nesby making comments similar to the

11 allegation compared to -- contained in Paragraph 11;

12 is that right?

13 A Yes.

14 Q More than five times?

15 A No. Probably about four -- three or four times he

16 told me this.

17 Q Paragraph 12 on Page -- it's listed as Page 4 on

18 Exhibit 1. I'm not going to read it because it's a

19 little bit on the lengthy side. But Paragraph 12,

20 does that describe what we've talked about here today

21 as incident No. 5, in my words?

22 A Yes, it does.

23 Q Paragraph 13, "Subsequent to leaving the office, the

24 defendant Nesby, upon information and belief, again

25 sexually assaulted the plaintiff Arenz and pulled her

<p style="text-align: right;">Page 58</p> <p>1 ponytail and reminded her that he was in control." 2 (As read.) 3 Did that occur immediately after -- well, let me 4 ask it a different way. 5 When did that occur? 6 A Right when I was getting into the van -- the second 7 van. 8 Q The second van. So we're talking about incident 9 No. 5? 10 A The last -- yes. It was after all that had happened. 11 Q Did anyone see Mr. Nesby pull your ponytail? 12 A Chicago did. 13 Q How do you know that Chicago saw Mr. Nesby pull your 14 ponytail? 15 A Because I made eye contact with him when he did it. 16 He was already in the van waiting. 17 Q The allegation is that he reminded her -- you -- that 18 he was in control. What did he specifically say to 19 you? 20 A It was that I was not to tell anybody. 21 Q Did he say anything else? 22 A No. He was there and then the second driver was 23 there. 24 Q Did the second driver hear Mr. Nesby make these 25 comments to you?</p>	<p style="text-align: right;">Page 60</p> <p>1 be in great harm. 2 Q Great harm is what he said? 3 A Yes. 4 Q Other than the five instances that we discussed of 5 Mr. Nesby having physical contact with you on this 6 trip, were there any other occasions where Mr. Nesby 7 touched you? 8 A It was just, like, a couple of times it was really 9 brief. He would try to reach behind when he was 10 driving to touch my left leg. As I said, he would 11 attempt because as soon as I saw his hand come, I 12 would move. 13 Q With his left hand, I presume? 14 A Yes, because he was driving at that time. 15 Q And it happened, you said, a couple, meaning two 16 times? 17 A Yes. 18 Q Do you know whether Mr. Nesby assaulted or 19 inappropriately touched others he had in custody on 20 this trip? 21 A No, he did not. 22 Q Do you know whether Mr. Nesby ever assaulted or 23 inappropriately touched anyone else? 24 MR. LEVINE: At any time? 25 BY MR. MCGAVER:</p>
<p style="text-align: right;">Page 59</p> <p>1 A Yes, because they both looked at me when it was said. 2 Q On Page -- it's marked as Page 5 -- let me know if 3 you're there -- Paragraph 17. Do you see what I'm 4 looking at? 5 A Yes. 6 Q It says, "Upon information and belief, the defendant 7 Nesby individually and as an agent, servant and/or 8 employee of the defendant Company threatened to 9 falsely imprison the plaintiff Arenz in his residence 10 and also threatened to kill her in the event that she 11 told anyone." 12 Did Mr. Nesby threaten to kill you? 13 A Yes, and the second driver did too. 14 Q Was this threat made after incident No. 5? 15 A Yes. 16 Q Same date? 17 A Yes. 18 Q Did the threats occur when Mr. -- did this threat 19 occur when Mr. Nesby pulled on your ponytail? 20 A Yes. 21 Q And he told you that he was going to kill you if you 22 told anyone? 23 A He said he was going to harm me. 24 Q Could you tell me the exact words that he used? 25 A He said if I tell anybody what happened today, I would</p>	<p style="text-align: right;">Page 61</p> <p>1 Q At any time. Do you know? 2 A Yes. 3 Q What do you know? 4 A I know of the case that he just lost in Illinois for 5 sexual misconduct of an inmate, as well. 6 Q That's out of Henry County, Illinois? 7 A Yes, it is. 8 Q Do you know about any other circumstances? 9 A He had told me briefly about a girl in Texas, when he 10 was transporting her to prison, that there were 11 allegations against him at one point, of sexually 12 assaulting her. But he said that she lied because she 13 just needed help with a cell phone and he was helping 14 her with her cell phone because hers was broke. 15 That's all I know about that. 16 Q Mr. Nesby didn't you give you any additional details? 17 A Just that. 18 Q When did Mr. Nesby explain his relationship with this 19 girl in Texas to you? How far into the trip? 20 A It was towards the end of the trip. 21 Q We've been going about an hour. Are you ready for a 22 little break, or do you want to keep going? 23 A I can keep going. 24 Q Okay. I'm going to hand you what will be marked as 25 Exhibit 2.</p>

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<p>1 (Exhibit Number 2 was marked for 2 identification.) 3 BY MR. MCGAVER: 4 Q Before we get to Exhibit 2 -- eventually you made your 5 way to Wisconsin, and you testified previously that 6 trip took about two weeks. Is that still right? 7 A Yes, roughly. 8 Q You were brought to the Winnebago County Jail; is that 9 right? 10 A Yes. 11 Q Who took custody of you when you were brought to the 12 Winnebago County Jail? 13 A They walked me right into the jail. 14 Q "They" meaning? 15 A I'm sorry. The male transport driver, after we had 16 switched. Because Nesby was not on this one. So the 17 new driver walked me into the jail. 18 Q How long were you in the custody of the husband and 19 wife driver, during the trip? 20 A Two, maybe three days. 21 Q And the husband and wife were the ones that physically 22 brought you to the Winnebago County Jail? 23 A Yes. 24 Q Did they bring any other prisoners to the Winnebago 25 County Jail?</p>	<p>1 you who bailed you out. 2 A My husband did, yes. 3 Q Court records say that the initial appearance in the 4 case was on May 18th, 2018. Does that sound right? 5 A Yes. 6 Q You were bailed out the same day? 7 A Yes. 8 Q I'm going to direct your attention to the text 9 messages, Exhibit 2. These were materials provided by 10 your attorney in initial disclosures. Can you tell me 11 what I'm looking at? 12 A Communications via text messages off of my phone, with 13 Marius. 14 Q Correct me if I'm wrong, but the white bubbles or 15 boxes with M next to them, those are from Marius? 16 A Yes. 17 Q And the dark bubbles or boxes with a picture of -- it 18 looks to be you. Those are from you; is that right? 19 A Yes. 20 Q It's Bates stamped Arenz 61. It starts off Wednesday, 21 May 23rd. There's a text message above that -- the 22 first page. The text message -- the first text 23 message on the page, 10:28 p.m. It says, "Wanted to 24 say it was good talking to you today & I'm looking 25 forward to getting to know you better."</p>
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<p>1 A Chicago was with me, but he was in the van with the 2 wife. 3 Q So the husband and wife physically brought you inside 4 the Winnebago County Jail. And what happened next? 5 A They signed the paperwork and released me into the 6 jail, and they left. 7 Q Okay. And you were booked into the Winnebago County 8 Jail? 9 A Yes. 10 Q Fingerprinted and photographed? 11 A Yes. 12 Q Issued jail clothing? 13 A Yes. Yes, I was. 14 Q How long were you in the jail before you saw a court 15 commissioner? 16 A An hour. 17 Q And then bail -- or bond was set at that hearing; is 18 that right? 19 A Yes. 20 Q \$1,000 cash? 21 A Yes. 22 Q How long before you were bailed out? 23 A I believe it took my husband two -- an hour and a half 24 to come down there. 25 Q You're predicting my questions. I was going to ask</p>	<p>1 Do you know what date that text message would 2 have been sent? 3 A That would have been Tuesday, May 22nd. 4 Q So the day prior to the text messages on the rest of 5 this page, correct? 6 A Yes. 7 Q Who initiated the text message conversation, you or 8 Mr. Nesby? 9 A Mr. Nesby. 10 Q Okay. When is the first time that you responded to 11 one of Mr. Nesby's text messages? 12 A It would have been the message shown for Wednesday, 13 May 23rd at 11:55 a.m. 14 Q So the message that says, "I'm out with my family for 15 the day today so I don't have much service. It cuts 16 in and out. Can I give you a call tomorrow afternoon 17 at all?" (As read.) That's the first time that you 18 had text message communication with Mr. Nesby, right? 19 A Yes. 20 Q Did you have any other -- strike that. 21 From the point in time where Mr. Nesby was no 22 longer participating in your transportation to the 23 Winnebago County Jail until this text message, did you 24 have any other communication with him whatsoever? 25 A No.</p>

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<p>1 Q Not telephone calls?</p> <p>2 A Yes. There was one -- so it was -- if I recall</p> <p>3 correctly, on Tuesday, the FBI came over, and we had</p> <p>4 placed our first call to Marius, which is what my</p> <p>5 assumption would be to the text message he wrote at</p> <p>6 10:28 p.m. that said it was good talking to me today.</p> <p>7 Any communication via telephone, that I had, was</p> <p>8 recorded by the FBI.</p> <p>9 Q So you reported Mr. Nesby's actions to law enforcement</p> <p>10 prior to this text message chain which you said</p> <p>11 started on Tuesday May 22nd, 2018; is that right?</p> <p>12 A May 18th, as soon as I got booked into the jail, my</p> <p>13 fingerprint and picture done, I reported it.</p> <p>14 Winnebago Detective Craig came to speak with me.</p> <p>15 Q Is it Craig Bohn, B-o-h-n?</p> <p>16 A I believe so. He came to speak to me. And then, I</p> <p>17 believe it was the following week, him,</p> <p>18 Detective Craig, and another Winnebago County</p> <p>19 detective and two agents from the FBI came to my house</p> <p>20 and spoke to me about this, and that's when it was</p> <p>21 turned over, at that point, basically, to the FBI.</p> <p>22 Q Okay. And I'll have some more questions about that in</p> <p>23 just a second, but back to the text message</p> <p>24 communications.</p> <p>25 Is all of the -- take a minute to look through</p>	<p>1 these messages yourself; is that true?</p> <p>2 A That is correct.</p> <p>3 Q Okay. did you ever participate in any other forms of</p> <p>4 communication with Mr. Nesby?</p> <p>5 A Telephone.</p> <p>6 Q Okay. Other than telephone or text, anything else?</p> <p>7 A No.</p> <p>8 Q No Snapchat? Facebook Messenger? Instagram? Other</p> <p>9 electronic communications?</p> <p>10 A He tried to add me on Facebook, but I never accepted.</p> <p>11 Q Is that friend request still hanging out there</p> <p>12 somewhere?</p> <p>13 A No. The FBI had me block it.</p> <p>14 Q After Mr. Nesby was released from participating in</p> <p>15 your transport, did you ever see him again?</p> <p>16 A No.</p> <p>17 Q When you were released from the Winnebago County Jail,</p> <p>18 after having spent -- I think you said about an hour</p> <p>19 in there; is that right?</p> <p>20 A I spent about a total of five hours it took for them</p> <p>21 to post the bail and release me.</p> <p>22 Q Okay. But when you were released, where did you go?</p> <p>23 A Home.</p> <p>24 Q Your home? Your husband's house -- home?</p> <p>25 A My home in Kaukauna.</p>
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<p>1 Exhibit 2, if you would. I'm going to ask you whether</p> <p>2 all of the text message communications that you had,</p> <p>3 either to or received -- that you drafted to or</p> <p>4 received from Mr. Nesby, occurred after you reported</p> <p>5 Mr. Nesby's actions to law enforcement. Is that true?</p> <p>6 A Yes, it is.</p> <p>7 Q Okay. You never texted Mr. Nesby before reporting</p> <p>8 what he did to the police, right?</p> <p>9 A That is correct.</p> <p>10 Q Did the police direct you to engage in text message</p> <p>11 conversation with Mr. Nesby?</p> <p>12 A Yes. Every response that I had made was -- I was told</p> <p>13 what to say from Mike from the FBI. So when Marius</p> <p>14 would send me a text message, I would screenshot that</p> <p>15 message. I would send it via text to Mike.</p> <p>16 Q Is that Agent Michael Meyer?</p> <p>17 A Yes. And then, he would send me a response on what to</p> <p>18 say.</p> <p>19 Q And you followed Agent Meyer's directions?</p> <p>20 A Yes, I did.</p> <p>21 Q Okay. So in realty, any communications directed to</p> <p>22 Mr. Nesby that are contained in Exhibit 2 were drafted</p> <p>23 by FBI Agent Michael Meyer; is that right?</p> <p>24 A Yes, it is.</p> <p>25 Q Okay. You didn't come up with the content of any of</p>	<p>1 Q Okay. Your parents' --</p> <p>2 A Well, our home. No. I had an apartment in Kaukauna.</p> <p>3 Q Inmate Transport Services picked up in Arizona. What</p> <p>4 were you doing in Arizona?</p> <p>5 A My husband and my son had a house out there. He was</p> <p>6 going to school full time. My son was going to school</p> <p>7 out there, as well. I moved out there full time in</p> <p>8 December after I was terminated my from employment.</p> <p>9 We had that house since July of the previous year.</p> <p>10 Q And you still retained the residence in Kaukauna?</p> <p>11 A Yes, I did.</p> <p>12 Q Okay. In the criminal case we talked about,</p> <p>13 18-CF-179, the Winnebago County case, you were</p> <p>14 ultimately convicted in that case, right?</p> <p>15 A Yes, I was.</p> <p>16 Q Because of a no contest plea?</p> <p>17 A Yes.</p> <p>18 Q Okay. And you were sentenced on October 11th, 2019?</p> <p>19 A Yes.</p> <p>20 Q Three years probation?</p> <p>21 A Yes.</p> <p>22 Q A year of jail? Is that right?</p> <p>23 A Yes.</p> <p>24 MR. LEVINE: I'm going object. These</p> <p>25 questions are highly irrelevant. Go ahead. You can</p>

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<p>1 ask, but I don't know where you're going on this.</p> <p>2 BY MR. MCGAVER:</p> <p>3 Q Are you currently residing in the Jefferson County</p> <p>4 Jail?</p> <p>5 A Yes, but I have Huber. So I'm out for 12 hours a day</p> <p>6 for child care.</p> <p>7 Q Back to the reporting of the assault. You said on --</p> <p>8 or the assaults I should say. On the trip itself, you</p> <p>9 said you told Geri Ann and then Chicago; is that</p> <p>10 right?</p> <p>11 A Yes.</p> <p>12 Q Did you tell anyone else about Nesby's assault, while</p> <p>13 you were being transported?</p> <p>14 A Just those two.</p> <p>15 Q And when you arrived at the Winnebago County Jail, did</p> <p>16 you tell any staff member, or anyone you encountered</p> <p>17 at the Winnebago County Jail, about the assault?</p> <p>18 A Yes, the deputy at the booking station.</p> <p>19 Q You did?</p> <p>20 A Yes.</p> <p>21 Q Do you remember that deputy's name?</p> <p>22 A No, I do not.</p> <p>23 Q Did you tell anyone else at the Winnebago County Jail?</p> <p>24 A They brought in Detective Craig immediately after I</p> <p>25 reported what had happened at transport.</p>	<p>1 Q We were on the 18th, I'm sorry. That's the date that</p> <p>2 you were brought to the Winnebago County Jail,</p> <p>3 May 18th, 2018, right?</p> <p>4 A Yes.</p> <p>5 Q And did the FBI come to your house on -- I believe you</p> <p>6 said May 23rd. Is that right?</p> <p>7 A I believe it was the 22nd.</p> <p>8 Q The 22nd. I misheard you. I'm sorry.</p> <p>9 A Yes.</p> <p>10 Q That's FBI Agent Michael Meyer?</p> <p>11 A Yes. It was FBI Agent Michael Meyer and another FBI</p> <p>12 agent and Winnebago Detective Chris, and then, another</p> <p>13 Winnebago detective. So there was four of them.</p> <p>14 Q How long did that meeting last?</p> <p>15 A A few hours.</p> <p>16 Q And did you tell these detectives everything that</p> <p>17 you've told me here today?</p> <p>18 A Yes.</p> <p>19 Q Did you tell them anything in addition to what you've</p> <p>20 told me today, in terms of the five sexual assaults</p> <p>21 that you allege Mr. Nesby perpetrated?</p> <p>22 A No.</p> <p>23 Q Is there anything different from what you told law</p> <p>24 enforcement than what you told me here today?</p> <p>25 A I do not believe so.</p>
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<p>1 Q So you were still in custody at the Winnebago County</p> <p>2 Jail when you started having conversations with</p> <p>3 Detective Craig Bohn about Mr. Nesby's actions; is</p> <p>4 that right?</p> <p>5 A Yes.</p> <p>6 Q Okay. Detective Bohn met with you at the Winnebago</p> <p>7 County Jail?</p> <p>8 A Yes.</p> <p>9 Q How much time did he spend with you?</p> <p>10 A About a half hour, I would say.</p> <p>11 Q He took a formal statement from you?</p> <p>12 A Yes, he did.</p> <p>13 Q Did he have you write anything down?</p> <p>14 A Yes, I believe so. He, kind of, formed it out himself</p> <p>15 and then had me sign it.</p> <p>16 Q Did Detective Bohn tell you anything about the next</p> <p>17 steps in the investigation into Mr. Nesby?</p> <p>18 A Yes. He said because it was multi-state, he was going</p> <p>19 to be contacting the FBI.</p> <p>20 Q When is the next time you heard anything about law</p> <p>21 enforcement's investigation into Mr. Nesby's actions?</p> <p>22 We're at May 23rd, I believe.</p> <p>23 A Michael Meyer contacted me the next day, and then they</p> <p>24 came to my house -- I believe it was Tuesday the 22nd,</p> <p>25 May 22nd.</p>	<p>1 Q Did you ever have any conversations with Fara,</p> <p>2 F-a-r-a, G-o-l-d, Gold?</p> <p>3 A No, I have not.</p> <p>4 Q What about Emily Stephani, S-t-e-p-h-a-n-i?</p> <p>5 A Yes.</p> <p>6 Q Who is Ms. Stephani?</p> <p>7 A She's a special victims coordinator for the FBI.</p> <p>8 Q When did you speak with Ms. Stephani?</p> <p>9 A It was -- I do not recall the exact date, but it was</p> <p>10 the week of the 23rd, somewhere in there.</p> <p>11 Q What did you talk to Ms. Stephani about?</p> <p>12 A She was -- it was explained to me that she is the</p> <p>13 special victims coordinator. So if I was having</p> <p>14 problems or issues processing what had happened, or</p> <p>15 just needed somebody to talk to, I could contact her</p> <p>16 for, just assistance, or if I wanted to do counseling,</p> <p>17 contact her, and she could give me information on</p> <p>18 that.</p> <p>19 Q And you did contact her, obviously?</p> <p>20 A Yes.</p> <p>21 Q Did you request counseling from her?</p> <p>22 A No, I did not request any counseling from her. I saw</p> <p>23 my own counselor.</p> <p>24 Q What did you ask Ms. Stephani to do for you?</p> <p>25 A I do not recall, at that time, what I had asked her</p>

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1 for.	1 wanted to do to me, if I would have gone to his house.
2 Q Did you have just that one conversation with	2 And then, the last thing was they wanted me to say
3 Ms. Stephani or did you have multiple conversations	3 that I was going to tell law enforcement what he had
4 with her?	4 done to me, and he begged me not to. And they had
5 A Multiple. I'm still in contact with her.	5 said -- I believe our last text message - our last
6 Q When's the last time you talked with her?	6 phone call was, "Please do not contact me again."
7 A On Saturday.	7 Q Marius told you that?
8 Q What did you guys talk about?	8 A No. They had me tell Marius that.
9 A I had updated my phone number with her.	9 Q You said every Tuesday you would make a coordinated
10 Q Anything else?	10 call, I'll call it, to Marius. Is that a fair
11 A She had sent me a message back saying thank you and	11 characterization?
12 that she would have an update -- she was going to get	12 A Yes.
13 an update from me -- from the FBI on where my case is	13 Q How many total calls do you believe you made, with the
14 with him, federally.	14 assistance of law enforcement, to Mr. Nesby?
15 Q Did you tell her that you were being deposed today?	15 A I don't recall how many times they came. I would
16 A Yes, in a conversation prior to Saturday.	16 assume -- I would say, probably, two months.
17 Q Michael Meyer we've already talked about. Brian	17 Q When is the last time you made such a phone call?
18 D'Arcy, D apostrophe -a-r-c-y. Does that name ring a	18 A 2018.
19 bell?	19 Q Okay. So roughly eight times -- eight phone calls
20 A Yes, he's an FBI agent.	20 with Mr. Nesby, if my math is right. Does that sound
21 Q You've had some contact with Agent D'Arcy?	21 fair?
22 A Yes.	22 A No. Because there was other times where he would send
23 Q Did Agent D'Arcy come to your house?	23 me a text message and he would ask to talk to me, and
24 A Yes.	24 they would show up the next day. So kind of, like,
25 Q With Agent Meyer?	25 here. This was on Wednesday. They asked me to have
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1 A Yes.	1 him call tomorrow. So they came over on that Thursday
2 Q Just those two agents, or were there others at your	2 to talk. So there was a couple of times where it was
3 house?	3 out of the normal schedule.
4 A The first few times that they came it was the four of	4 Q More than 20 phone calls with Mr. Nesby, with the
5 them; two FBI, two Winnebago detectives.	5 assistance of law enforcement?
6 Q You said the first few times that they came.	6 A No. It was less than 20.
7 A It was about three or four times, yes, that they came.	7 Q But more than 10?
8 And then it would drop down to -- Winnebago had	8 A I would say so.
9 completely stepped out of it and had just left it up	9 MR. LEVINE: You can keep going. (Leaving
10 to -- Brian and Michael from the FBI would come.	10 room.)
11 Q How many times did law enforcement members visit your	11 THE WITNESS: Okay.
12 house as a result of their investigation of this	12 MR. MCGAVER: Sure.
13 matter?	13 Q Does the name Demar Hampton ring a bell to you?
14 A They would come every Tuesday.	14 A I do not recall that name.
15 Q Why every Tuesday?	15 Q Have you ever heard the name Randy Cagle, C-a-g-l-e?
16 A Because that's when we would call Marius.	16 A I don't recall that name.
17 Q So you had weekly phone conversations with Mr. Nesby?	17 (Mr. Levine re-entered the room.)
18 A Yes.	18 BY MR. MCGAVER:
19 Q What kind of things did the FBI agents ask you to talk	19 Q What about Steven Tyler? Not the guy from Aerosmith.
20 to Mr. Nesby about?	20 A No, I do not recall that name.
21 A Reliving from when I got picked up.	21 Q Okay. Do you recall the names of any other employees
22 Q What do you mean by that?	22 from Inmate Services Corporation, other than --
23 A Having him talk about the sexual assaults that he did	23 MR. LEVINE: Let's back up for a second.
24 to me, and getting him to admit that. Getting him to	24 Tyler. You know that name, right? Steven Tyler?
25 admit that he kissed me. Having him explain what he	25 Wasn't he the other driver or something? Or no?

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<p>1 THE WITNESS: I have the gentleman's name</p> <p>2 written down, but I do not recall at the top of my</p> <p>3 head who they were.</p> <p>4 MR. LEVINE: Okay.</p> <p>5 THE WITNESS: It could have been, but I</p> <p>6 don't recall. I think there were pictures in here of</p> <p>7 the drivers. Because they had me -- they gave me a</p> <p>8 lineup.</p> <p>9 BY MR. MCGAVER:</p> <p>10 Q And "in here", you're referring to Exhibit 2, right?</p> <p>11 A Yes. Sorry.</p> <p>12 Mary Davis.</p> <p>13 Q Who's Mary Davis?</p> <p>14 A That was the wife of the second transport driver.</p> <p>15 Q And there's the third -- second -- strike that.</p> <p>16 MR. LEVINE: Who was the wife -- that guy</p> <p>17 with the wife?</p> <p>18 THE WITNESS: I don't recall his name.</p> <p>19 MR. LEVINE: Off the record for a second.</p> <p>20 (A brief discussion was held off the</p> <p>21 record.)</p> <p>22 MR. MCGAVER: Back on the record. I'll ask</p> <p>23 the question again.</p> <p>24 Q After refreshment of your recollection through this --</p> <p>25 through your attorney going through some of his notes,</p>	<p>1 A No, I do not.</p> <p>2 Q Prior to May of 2018, you participated in some mental</p> <p>3 health treatment, right?</p> <p>4 A Yes, I have.</p> <p>5 Q Do you remember who treated you?</p> <p>6 A I've seen several providers.</p> <p>7 Q What for?</p> <p>8 A I was diagnosed with bipolar and manic depressive.</p> <p>9 Q Do you remember who made those diagnoses initially?</p> <p>10 A A psychiatrist from Dean Healthcare.</p> <p>11 Q Do you remember that provider's name?</p> <p>12 A No, I do not.</p> <p>13 Q Prior --</p> <p>14 A They had sent me for testing at one of their clinics</p> <p>15 for a full evaluation.</p> <p>16 Q Prior to May of 2018, how often did you participate in</p> <p>17 mental health treatment?</p> <p>18 A I would say from 2001 until 2012 I was on medication.</p> <p>19 Q What medications?</p> <p>20 A I was on -- they've tried me on several different</p> <p>21 medications for my mental stability, I guess, to help</p> <p>22 regulate me, and then I went to a counselor. I went</p> <p>23 to a counselor a lot. And then, I was starting to do</p> <p>24 really good weaning myself off the medicine and</p> <p>25 learning how to control myself without it, but still</p>
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<p>1 I believe, does the name Steven Tyler ring a bell?</p> <p>2 A Yes. He was the driver for the second transport.</p> <p>3 Q He was the husband in the husband/wife combo; is that</p> <p>4 right?</p> <p>5 A Yes.</p> <p>6 Q Do you remember the wife's name now?</p> <p>7 A Mary Davis.</p> <p>8 Q And in Exhibit 2, it's Bates No. Arenz 72 and Arenz</p> <p>9 73, that mentioned the name of Mary A. Davis; is that</p> <p>10 right?</p> <p>11 A Yes.</p> <p>12 Q What am I looking at on Bates No. 72 -- Arenz 72 and</p> <p>13 73, with Mary Davis' name there? Because it doesn't</p> <p>14 appear to be a text message. What is it?</p> <p>15 A This was a screenshot of her Facebook page that I had</p> <p>16 sent.</p> <p>17 Q Are you Facebook friends with Mary Davis?</p> <p>18 A No, I am not.</p> <p>19 Q What about Steven Tyler?</p> <p>20 A No, I am not.</p> <p>21 Q You don't know the name Randy Cagle, right?</p> <p>22 A No, I do not.</p> <p>23 Q Anyone -- do you know the identity, or the name, of</p> <p>24 anyone else from Inmate Services Corporation other</p> <p>25 than those two we've talked about here today?</p>	<p>1 seeing a counselor.</p> <p>2 Q And this is all in the period 2001 to 2012?</p> <p>3 A Yes. I was still on anxiety medication.</p> <p>4 Q Did you stop treating in 2012?</p> <p>5 A I didn't stop treatment fully. I would still see,</p> <p>6 like, a counselor here and there if I had troubles</p> <p>7 just regrouping myself.</p> <p>8 Q Other than medication and visits with the counselor,</p> <p>9 did mental health professionals do anything else to</p> <p>10 treat you prior to May of 2018?</p> <p>11 A No.</p> <p>12 Q Prior to May of 2018, other than manic depress -- I'm</p> <p>13 sorry, manic depressive disorder, bipolar disorder,</p> <p>14 were you diagnosed with anything else?</p> <p>15 A PTSD.</p> <p>16 Q And what was the event prior to May of 2018 that would</p> <p>17 have caused the PTSD diagnosis?</p> <p>18 A I was severely abused for many years by my son's</p> <p>19 father.</p> <p>20 Q Prior to the actions of Mr. Nesby, were you ever a</p> <p>21 victim of sexual assault?</p> <p>22 A Yes, once.</p> <p>23 Q When did that occur?</p> <p>24 A When I was 17.</p> <p>25 Q Do you attribute the sexual assault when you were 17</p>

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<p>1 to any of the mental health issues that you were</p> <p>2 treated for?</p> <p>3 A No.</p> <p>4 Q How long after you were released from custody in this</p> <p>5 case, in May of 2018, did it take you to seek</p> <p>6 treatment for mental health issues or a trauma caused</p> <p>7 by Mr. Nesby's assault?</p> <p>8 That was a poor way of asking a question.</p> <p>9 May 2018 you were released from custody. When</p> <p>10 is the next time that you treated as a result of what</p> <p>11 you say that Mr. Nesby did?</p> <p>12 A I don't recall the date, but it did take some time</p> <p>13 because I had to reestablish insurance before I could</p> <p>14 go anywhere.</p> <p>15 Q Is it possible that it occurred sometime in November</p> <p>16 of 2018?</p> <p>17 A Yes, that is a possibility.</p> <p>18 Q Who's April Garcia?</p> <p>19 A She was my primary care physician.</p> <p>20 Q What about Jennifer Bleak?</p> <p>21 A She's my counselor.</p> <p>22 Q Currently?</p> <p>23 A Yes.</p> <p>24 Q And you've been treating with Jennifer Bleak since</p> <p>25 2018; is that right?</p>	<p>1 A Yes.</p> <p>2 Q Kathleen O'Neill?</p> <p>3 A Yes.</p> <p>4 Q Does the name Stanley Fudala, F-u-d-l -- F-u-d-a-l-a,</p> <p>5 ring a bell?</p> <p>6 A Yes.</p> <p>7 Q Who's Stanley Fudala?</p> <p>8 A He is a -- he prescribes medications for me for mental</p> <p>9 health.</p> <p>10 Q Is he a psychiatrist?</p> <p>11 A Yes.</p> <p>12 Q What medications does Dr. Fudala prescribe for you?</p> <p>13 A Currently, he has me on hydroxyzine.</p> <p>14 MR. LEVINE: Do you know how to spell that?</p> <p>15 MR. MCGAVER: She might ask you afterwards,</p> <p>16 that's why.</p> <p>17 THE WITNESS: I honestly do not know.</p> <p>18 MR. MCGAVER: We'll track it down. You'll</p> <p>19 leave it to me, right?</p> <p>20 COURT REPORTER: It's okay.</p> <p>21 THE WITNESS: I have my bottle in my purse.</p> <p>22 BY MR. MCGAVER:</p> <p>23 Q What does hydroxyzine do for you?</p> <p>24 A It helps calm me.</p> <p>25 Q Is it effective, do you think?</p>
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<p>1 A I think 2019.</p> <p>2 Q Is Jennifer Bleak a physician -- a doctor?</p> <p>3 A No. She's a counselor.</p> <p>4 Q Who's Kathleen O'Neill?</p> <p>5 A She was a counselor that I had before Jennifer.</p> <p>6 Q And she was at Watertown Regional Medical Center; is</p> <p>7 that right?</p> <p>8 A Yes, that is correct.</p> <p>9 Q You saw Ms. O'Neill for overwhelming anxiety,</p> <p>10 depression and PTSD symptoms; is that right?</p> <p>11 A Yes.</p> <p>12 Q How long did you treat with Ms. O'Neill?</p> <p>13 A I only saw her a couple of times before switching over</p> <p>14 to Jennifer.</p> <p>15 Q Is there any reason that you switched over from</p> <p>16 Ms. O'Neill to Jennifer Bleak?</p> <p>17 A Yes. I was having a really bad day trying to control</p> <p>18 my anxiety on a day that I had an appointment, so I</p> <p>19 called her the morning of my appointment to cancel,</p> <p>20 and their policy doesn't allow it. So she ended up</p> <p>21 dropping me.</p> <p>22 Q If that policy did not require that she drop you as a</p> <p>23 patient, would you have continued to see Ms. O'Neill?</p> <p>24 A Yes. I have seen Kathleen since 2009 or 2010.</p> <p>25 Q Same counselor?</p>	<p>1 A Is it effective?</p> <p>2 Q Yeah.</p> <p>3 A Yes, it is.</p> <p>4 Q Any other medications that Dr. Fudala prescribes for</p> <p>5 you?</p> <p>6 A None that I am currently taking.</p> <p>7 Q Are you currently treating with Dr. Fudala?</p> <p>8 A Yes.</p> <p>9 Q You stopped treating with Kathleen O'Neill in January</p> <p>10 -- January 15th of 2019, or thereabouts; is that fair?</p> <p>11 A Yes.</p> <p>12 Q And just because of their cancellation policy, right?</p> <p>13 A Yes.</p> <p>14 Q Okay. And about that time, it appears, you started</p> <p>15 treating with Dr. Fudala. Is that about right?</p> <p>16 A Yes.</p> <p>17 Q Are you seeing any other mental health providers</p> <p>18 currently, besides Dr. Fudala and Jennifer -- I can't</p> <p>19 think of her last name.</p> <p>20 A I think you had said it was Bleak. I honestly don't</p> <p>21 know her last name, but her first name is Jennifer.</p> <p>22 She's through Family Services.</p> <p>23 Q But she's a counselor?</p> <p>24 A Yes.</p> <p>25 Q And Jennifer Bleak could be somebody else?</p>

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<p>1 A It's a possibility, but I don't know of any other --</p> <p>2 Q I'm not trying to trip you up. Jennifer Bleak is a</p> <p>3 physician that showed up on some of the medical</p> <p>4 records.</p> <p>5 A Okay. So...</p> <p>6 Q I'm trying to get a hold of who the cast of characters</p> <p>7 are.</p> <p>8 A No, she is not a physician. She's a counselor.</p> <p>9 Q Okay. I'm going to give you Exhibit 3.</p> <p>10 (Exhibit Number 3 was marked for</p> <p>11 identification.)</p> <p>12 BY MR. MCGAVER:</p> <p>13 Q I'll represent to you that this is a medical record</p> <p>14 provided by your attorney, detailing some treatment on</p> <p>15 January 15th of 2019. I'll have you turn to where it</p> <p>16 says Bates No. Arenz 29 at the bottom. Let me know</p> <p>17 when you get there.</p> <p>18 A I am there.</p> <p>19 Q All right. It says, "Nursing Documentation:</p> <p>20 Behavioral Health Forms." And then, down that list it</p> <p>21 says, "Ever forced sexual activity:". The answer to</p> <p>22 that question is, "Yes."</p> <p>23 Is there any other instance of sexual assault,</p> <p>24 other than the ones we talked about here today, that</p> <p>25 would have caused you to answer that question yes?</p>	<p>1 Q What kind of progress do you think you've made?</p> <p>2 A How to -- I'm learning how to control my surroundings.</p> <p>3 I'm learning how to control my anxiety a little bit</p> <p>4 more without the medication. It's kind of a difficult</p> <p>5 answer -- to answer because of the trauma and</p> <p>6 everything that has happened to me that I am still</p> <p>7 suffering from. But it is a work in progress, and I</p> <p>8 am slowly getting back to my normal lifestyle.</p> <p>9 Q When is the last time you had an appointment with</p> <p>10 Dr. Fudala or your counselor, or anybody else?</p> <p>11 A Dr. Fudala was in November of 2018, and then --</p> <p>12 Q 2018 you said?</p> <p>13 A I'm sorry, 2019. And then, my counselor was in</p> <p>14 December of 2019.</p> <p>15 Q Do you have any appointments currently scheduled with</p> <p>16 either Dr. Fudala or another mental health provider?</p> <p>17 A Not with Dr. Fudala at this time but with my</p> <p>18 counselor. I see her every two weeks.</p> <p>19 Q As part of the allegations made in this case, are you</p> <p>20 claiming that you're unable to work because of the</p> <p>21 actions of Mr. Nesby?</p> <p>22 A I tried to go to work after the things that had</p> <p>23 happened to me. I do struggle quite a bit. So it's</p> <p>24 something that I do -- I try. It's just very</p> <p>25 difficult for me.</p>
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<p>1 A Yes.</p> <p>2 Q What have we missed?</p> <p>3 A This -- so this isn't related to this case.</p> <p>4 Q Okay.</p> <p>5 A This was when I was 17.</p> <p>6 Q Okay. Two lines down from there where it says,</p> <p>7 "Relationship of sexual abuser BH: Stranger," does</p> <p>8 that refer to Marius Nesby?</p> <p>9 A No.</p> <p>10 Q Who's the stranger that sexually abused you?</p> <p>11 A The one that had -- the forced sexually was a guy that</p> <p>12 I didn't know, like I said, when I was 17.</p> <p>13 Q Oh, this is the same incident when you were 17?</p> <p>14 A Yes.</p> <p>15 Q So other than the incident when you were 17 and the</p> <p>16 incidents with Mr. Nesby, have you been a victim of</p> <p>17 sexual assaults?</p> <p>18 A My son's father, but that was more of, like, sexual</p> <p>19 abuse, that's what the PTSD back then was from.</p> <p>20 Q And I'm sorry to bring up these topics. I really</p> <p>21 don't take any pleasure from it.</p> <p>22 We're done with Exhibit 3.</p> <p>23 Do you think you've made any progress in</p> <p>24 treatment since May of 2018?</p> <p>25 A It's getting there, yes.</p>	<p>1 Q When's the last time that you applied for a job?</p> <p>2 A My last job was in December, so I have not applied.</p> <p>3 Q Okay. You're not alleging that you received any</p> <p>4 sexually transmitted disease from Mr. Nesby; is that</p> <p>5 right?</p> <p>6 A No, I do not.</p> <p>7 Q Okay. And you're not alleging that he engaged in</p> <p>8 unconsensual [sic] intercourse with you, right?</p> <p>9 A That is right.</p> <p>10 Q Okay. And there was no oral sex involved with your</p> <p>11 interactions with Mr. Nesby?</p> <p>12 A No, there was not.</p> <p>13 Q Okay. Fair to say that your interactions with</p> <p>14 Mr. Nesby were unconsensual [sic] sexual contact?</p> <p>15 A Correct.</p> <p>16 Q Is there anything about your interactions with</p> <p>17 Mr. Nesby that prevent you from participating in any</p> <p>18 of your hobbies or your -- the things that you used to</p> <p>19 do that you don't get the same enjoyment out of that</p> <p>20 you did before you met Mr. Nesby?</p> <p>21 A Yes. There's a lot of stuff.</p> <p>22 Q Like what?</p> <p>23 A I do not leave my home unless I have somebody with me.</p> <p>24 I now have security cameras all around my house and</p> <p>25 outside of my house.</p>

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<p>1 Q How many cameras do you have?</p> <p>2 A Four. I -- even going shopping with my son or</p> <p>3 something, I still have panic attacks, thinking that</p> <p>4 somebody is watching me or somebody is going to get to</p> <p>5 me.</p> <p>6 Q What --</p> <p>7 A So I struggle.</p> <p>8 Q I'm sorry. I didn't mean to interrupt you.</p> <p>9 What do you define as a panic attack?</p> <p>10 A My anxiety gets really, really bad at times, and it's</p> <p>11 very hard to bring down at times, so then I have to</p> <p>12 take my medication for it.</p> <p>13 Q Anything else that you can tell me about how</p> <p>14 Mr. Nesby's actions have affected your ability to</p> <p>15 carry on with your daily activities?</p> <p>16 A Working -- even as a housekeeper, my fear was that</p> <p>17 him, or somebody else that he knows, was going to be</p> <p>18 waiting in a room for me when I went in to clean it.</p> <p>19 So I usually had one of the other girls open the door</p> <p>20 for me and brace it open, basically, doing -- making</p> <p>21 sure nobody was in the room before I went in.</p> <p>22 Q And you did that when you were working as a</p> <p>23 housekeeper?</p> <p>24 A Yes.</p> <p>25 Q Anything else that you can tell me?</p>	<p>1 STATE OF WISCONSIN)</p> <p>2)SS</p> <p>3 MILWAUKEE COUNTY)</p> <p>4 I, CHRISTINE A. KOVAC, RPR, Registered</p> <p>5 Professional Reporter and Notary Public in and for the</p> <p>6 State of Wisconsin, do hereby certify that the preceding</p> <p>7 Deposition was recorded by me and reduced to writing under</p> <p>8 my personal direction.</p> <p>9 I further certify that said Deposition was</p> <p>10 taken before me at LAW OFFICES OF ROBERT A. LEVINE, 630</p> <p>11 North Broadway, Milwaukee, Wisconsin, on the 9th day of</p> <p>12 January, 2020, commencing at 1:19 p.m. and concluding at</p> <p>13 3:23 p.m.</p> <p>14 I further certify that I am not a relative</p> <p>15 or employee or attorney or counsel of any of the parties,</p> <p>16 or a relative or employee of any such attorney or counsel,</p> <p>17 or financially interested directly or indirectly in this</p> <p>18 action.</p> <p>19 In witness whereof, I have hereunto set my</p> <p>20 hand and affixed my seal of office at Milwaukee,</p> <p>21 Wisconsin, on this 17th day of January, 2020.</p> <p>22</p> <p>23 CHRISTINE A. KOVAC - Notary Public</p> <p>24 In and for the State of Wisconsin.</p> <p>25 My commission expires:</p> <p>October 3, 2023</p>
<p>Page 91</p> <p>1 A No. I think that's it. I try to stay home as much as</p> <p>2 I can. I don't like to go out.</p> <p>3 MR. MCGAVER: Let me just page through my</p> <p>4 notes. I promise to do it quickly. I think I'm all</p> <p>5 done.</p> <p>6 (A brief discussion was held off the</p> <p>7 record.)</p> <p>8 MR. MCGAVER: That's all I have. Thank you.</p> <p>9</p> <p>10 (Deposition concluded at 3:23 p.m.)</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	